

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

**COALITION PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION
RELATING TO BMDS, SCANNING AND TABULATING, AND AUDITING**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, the Coalition Plaintiffs¹ respectfully join the pending motion of Curling Plaintiffs for preliminary injunctive relief (Doc. 785) and further move hereby for additional injunctive relief against the State Defendants on all of the independent and additional grounds set out herein and in the attached brief and exhibits.

Specifically, Coalition Plaintiffs seek the following relief related to distinct components of the Dominion BMD System:²

¹ The “Coalition Plaintiffs” are Plaintiffs Coalition for Good Governance (“Coalition”), Laura Digges, William Digges III, Megan Missett, and Ricardo Davis.

² Coalition Plaintiffs have separately moved this Court for injunctive relief requiring the State Defendants to provide updated paper pollbook backups at each polling location to be used as an official pollbook for issuing ballots or emergency ballots if electronic pollbooks malfunction or have discrepancies. (Doc. 800.)

- (a) An Order prohibiting the State Defendants from enforcing O.C.G.A. § 21–2–300(a)(2), O.C.G.A. § 21–2–383(c), and any other law or regulation that compels in-person voters to vote on unauditible, secrecy-compromising, insecure, and deficiently tested ballot marking devices (BMDs), and instead requiring Defendants to adopt hand marked paper ballots as the standard method of in-person voting;
- (b) An Order commanding the State Defendants to standardize required settings of Dominion precinct and central ballot scanners and related tabulation software to ensure that all perceptible votes written on mailed and hand marked paper ballots are either counted as votes or flagged for human review by a Vote Review Panel, and requiring that Dominion scanner sensitivity settings and tabulation software settings be uniform across all counties;
- (c) An Order commanding the State Defendants to issue rules requiring meaningful pre-certification audits of election results, focusing on contested candidate races and ballot questions, with such auditing to be based on application of well-accepted audit principles in order to establish to a scientifically appropriate level of confidence that any

incorrect outcomes will be detected in time to be remedied prior to certification of results.

To assist the Court, the Coalition Plaintiffs have submitted a Proposed Order with this Motion that awards the foregoing requested relief.

• • •

Pursuant to Rule 65(d), the Coalition Plaintiffs have filed with this Motion a proposed order stating the reasons why an injunction should issue, the specific terms thereof, including the acts restrained and required, and the persons to be bound by the injunction.

Pursuant to Rule 7.1A of the Local Rules of the Northern District of Georgia, and Part III (a) of this Court's Standing Order, the Coalition Plaintiffs have also filed herewith a brief citing legal authorities supporting this motion and the facts relied upon, together with supporting declarations and exhibits.

Respectfully submitted this 24th day of August, 2020.

/s/ Bruce P. Brown
Bruce P. Brown
Georgia Bar No. 064460
BRUCE P. BROWN LAW LLC
1123 Zonolite Rd. NE
Suite 6
Atlanta, Georgia 30306
(404) 881-0700

/s/ Robert A. McGuire, III
Robert A. McGuire, III
Admitted Pro Hac Vice
(ECF No. 125)
ROBERT MC GUIRE LAW FIRM
113 Cherry St. #86685
Seattle, Washington 98104-2205
(253) 267-8530

Counsel for Coalition for Good Governance

/s/ Cary Ichter

Cary Ichter
Georgia Bar No. 382515
ICHTER DAVIS LLC
3340 Peachtree Road NE
Suite 1530
Atlanta, Georgia 30326
(404) 869-7600

*Counsel for William Digges III, Laura Digges,
Ricardo Davis & Megan Missett*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

CERTIFICATE OF COMPLIANCE

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ Bruce P. Brown
Bruce P. Brown

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER , ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2020, a copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ Bruce P. Brown
Bruce P. Brown